

1 Christopher M. Curran (*pro hac vice*)

2 ccurran@whitecase.com

3 Lucius B. Lau (*pro hac vice*)

4 alau@whitecase.com

5 Dana E. Foster (*pro hac vice*)

6 defoster@whitecase.com

7 White & Case LLP

8 701 Thirteenth Street, N.W.

9 Washington, DC 20005

10 Telephone: (202) 626-3600

11 Facsimile: (202) 639-9355

12 *Counsel to Defendants Toshiba Corporation,*

13 *Toshiba America, Inc., Toshiba America*

14 *Information Systems, Inc., Toshiba America*

15 *Consumer Products, L.L.C., and*

16 *Toshiba America Electronic Components, Inc.*

17 UNITED STATES DISTRICT COURT
18 NORTHERN DISTRICT OF CALIFORNIA
19 (SAN FRANCISCO DIVISION)

20 IN RE: CATHODE RAY TUBE (CRT)
21 ANTITRUST LITIGATION

Case No. 07-5944 JST
MDL No. 1917

22 This Document Relates to:

23 CERTAIN DIRECT ACTION
24 PLAINTIFFS' ACTIONS

**DECLARATION OF SAMUEL J.
SHARP IN SUPPORT OF TOSHIBA'S
MOTION FOR RECONSIDERATION**

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DECLARATION OF SAMUEL J. SHARP
IN SUPPORT OF TOSHIBA'S MOTION FOR RECONSIDERATION
Case No. 07-5944 JST
MDL No. 1917

1 I, Samuel J. Sharp, hereby declare as follows:

2 1. I am an attorney with the law firm of White & Case LLP, counsel for
3 Defendants Toshiba Corporation, Toshiba America, Inc., Toshiba America Information
4 Systems, Inc., Toshiba America Consumer Products, L.L.C., and Toshiba America Electronic
5 Components, Inc. (collectively, "Toshiba").

6 2. I submit this declaration in support of Toshiba's Motion for Reconsideration,
7 filed contemporaneously herewith. Except for those matters stated on information and belief,
8 which I believe to be true, I have personal knowledge of the facts stated herein, and I could
9 and would competently testify thereto if called as a witness.

10 3. Attached hereto as **Exhibit 1** is a true and correct copy of the Stipulation And
11 [Proposed] Order Appointing Magistrate Judge Edward A. Infante As Special Master from *In*
12 *re Cisco Systems, Inc. Securities Litigation*, No. 5:01-cv-20418-JW (N.D. Cal. Nov. 4, 2003).
13 This document was accessed via the Northern District of California's Electronic Case Filing
14 System.

15 I declare under penalty of perjury under the laws of the United States of America that
16 the foregoing is true and correct.

17
18 Executed this 13th day of November, 2015, in Washington, DC.

19
20
21 
22 Samuel J. Sharp

CERTIFICATE OF SERVICE

On November 13, 2015, I caused a copy of "DECLARATION OF SAMUEL J. SHARP IN SUPPORT OF TOSHIBA'S MOTION FOR RECONSIDERATION" to be electronically filed via the Court's Electronic Case Filing System, which constitutes service in this action pursuant to the Court's order of September 29, 2008.

By: /s/ Lucius B. Lau
Lucius B. Lau

White & Case LLP
701 Thirteenth Street, NW
Washington, DC 20005

DECLARATION OF SAMUEL J. SHARP
IN SUPPORT OF TOSHIBA'S MOTION FOR RECONSIDERATION
Case No. 07-5944 JST
MDL No. 1917

Exhibit 1

MILBERG WEISS BERSHAD
HYNES & LERACH LLP
WILLIAM S. LERACH (68581)
SPENCER A. BURKHOLZ (147029)
DANIEL S. DROSMAN (200643)
MATTHEW P. MONTGOMERY (180196)
401 B Street, Suite 1700
San Diego, CA 92101
Telephone: 619/231-1058
619/231-7423 (fax)

-and-

PATRICK J. COUGHLIN (111070)
LESLEY E. WEAVER (191305)
CONNIE M. CHEUNG (215381)
100 Pine Street, Suite 2600
San Francisco, CA 94111
Telephone: 415/288-4545
415/288-4534 (fax)

LEVIN, PAPANTONIO, THOMAS, MITCHELL,
ECHSNER & PROCTOR, P.A.
FREDRIC G. LEVIN (*pro hac vice*)
J. MICHAEL PAPANTONIO (*pro hac vice*)
TIMOTHY M. O'BRIEN (*pro hac vice*)
316 South Baylen Street, Suite 600
Pensacola, FL 32501
Telephone: 850/435-7000
850/436-6084 (fax)

Co-Lead Counsel for Plaintiffs

[Additional counsel appear on signature page.]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

In re CISCO SYSTEMS, INC. SECURITIES)	Master File No. C-01-20418-JW(PVT)
LITIGATION)	
)	<u>CLASS ACTION</u>
This Document Relates To:)	STIPULATION AND [PROPOSED] ORDER
)	APPOINTING MAGISTRATE JUDGE
ALL ACTIONS.)	EDWARD A. INFANTE AS SPECIAL
)	DISCOVERY MASTER

1 WHEREAS, the appointment of a special discovery master will facilitate the efficient
2 management of discovery and discovery disputes in this action;

3 WHEREAS, Magistrate Judge Edward A. Infante is eminently qualified to act as special
4 discovery master in this action;

5 WHEREAS, Magistrate Judge Edward A. Infante has agreed to act as special discovery
6 master in this action;

7 THEREFORE, the parties stipulate as follows:

8 1. Magistrate Judge Edward A. Infante shall act as special discovery master in this case
9 (the "Special Master");

10 2. The Special Master shall manage the discovery process and resolve all disputes
11 arising under Federal Rules of Civil Procedure 26-37 and 45, including those between parties and
12 non-parties;

13 3. All orders issued by the Special Master shall have the same force and effect as if
14 issued by a Magistrate Judge of this Court. Such orders may be appealed to the District Court
15 pursuant to Federal Rule of Civil Procedure 72(a);

16 4. Proceedings before the Special Master shall be in accordance with the Federal Rules
17 of Civil Procedure and the Local Rules of the Northern District of California, except as follows:

18 (a) Unless otherwise ordered by the Special Master, motions shall be served 28
19 days in advance of the hearing date, oppositions shall be served 14 days in advance of the hearing
20 date, and optional replies, if any, may be served seven days in advance of the hearing date;

21 (b) Any party seeking to be heard on shortened time shall comply with the
22 procedures set forth in Local Rules 6 and 7;

23 (c) Briefs may be submitted in formal pleading or letter format, at the option of
24 the moving party;

25 (d) All briefs shall be served by facsimile or hand delivery;

26 (e) Briefs shall have no page limitation;

27 (f) Briefs shall be submitted to Sandra Chan at the JAMS San Francisco office;

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1 (g) Hearings before the Special Master may be in person at the JAMS offices in
2 San Francisco or San Jose or by telephone, as requested by the parties and approved by the Special
3 Master;

4 (h) After conferring with all parties on a mutually convenient date, hearing dates
5 shall be scheduled with Sandra Chan at JAMS according to the Special Master's availability;

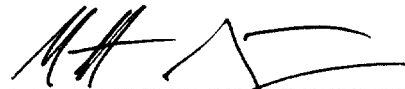
6 (i) The Special Master shall have the authority to conduct status conferences
7 regarding discovery as necessary; and

8 5. Plaintiffs shall bear half of the costs of retaining the Special Master and defendants
9 shall bear the other half.

10 IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

11 DATED: November 4, 2003

MILBERG WEISS BERSHAD
HYNES & LERACH LLP
WILLIAM S. LERACH
SPENCER A. BURKHOLZ
DANIEL S. DROSMAN
MATTHEW P. MONTGOMERY

15 

16 MATTHEW P. MONTGOMERY

17 401 B Street, Suite 1700
18 San Diego, CA 92101
19 Telephone: 619/231-1058
619/231-7423 (fax)

20 MILBERG WEISS BERSHAD
21 HYNES & LERACH LLP
22 PATRICK J. COUGHLIN
23 LESLEY E. WEAVER
24 CONNIE M. CHEUNG
25 100 Pine Street, Suite 2600
26 San Francisco, CA 94111
27 Telephone: 415/288-4545
28 415/288-4534 (fax)

MILBERG WEISS BERSHAD
HYNES & LERACH LLP
SANDRA STEIN
1845 Walnut Street, 25th Floor
Philadelphia, PA 19103
Telephone: 215/988-9546
215/988-9885 (fax)

LEVIN, PAPANTONIO, THOMAS, MITCHELL,
ECHSNER & PROCTOR, P.A.
FREDRIC G. LEVIN
J. MICHAEL PAPANTONIO
TIMOTHY M. O'BRIEN
316 South Baylen Street, Suite 600
Pensacola, FL 32501
Telephone: 850/435-7000
850/436-6084 (fax)

Co-Lead Counsel for Plaintiffs

I, Matthew P. Montgomery, am the ECF User whose ID and password are being used to file this Stipulation and [Proposed] Order Appointing Magistrate Judge Edward A. Infante Special Discovery Master. In compliance with General Order 45, X.B., I hereby attest that Alice L. Jensen has concurred in this filing.

DATED: November 4, 2003

CLIFFORD CHANCE US LLP
TOWER C. SNOW
DEAN S. KRISTY
KEVIN P. MUCK
FELIX S. LEE
ALICE L. JENSEN


ALICE L. JENSEN

One Market
Steart Street Tower
San Francisco, CA 94105
Telephone: 415/778-4700
415/778-4701 (fax)

Counsel for Defendants Cisco Systems, Inc.,
John T. Chambers, Larry R. Carter, Gary J.
Daichendt, Judith L. Estrin, Charles H.
Giancarlo, Mario Mazzola, Carl Redfield,
Michelangelo Volpi, Carol A. Bartz, James F.
Gibbons, Steven M. West, Edward R. Kozel and
Robert Puette

1 I, Matthew P. Montgomery, am the ECF User whose ID and password are being used to file
2 this Stipulation and [Proposed] Order Appointing Magistrate Judge Edward A. Infante Special
3 Discovery Master. In compliance with General Order 45, X.B., I hereby attest that Bruce C. Gibney
4 has concurred in this filing.

5 DATED: November 4, 2003

HELLER, EHRMAN, WHITE & MCAULIFFE
BRUCE C. GIBNEY

Bruce Gibney / MPM

BRUCE C. GIBNEY

275 Middlefield Road
Menlo Park, CA 94925
Telephone: 650/324-7000
650/324-0638 (fax)

Counsel for Defendant PricewaterhouseCoopers
LLP

* * *

ORDER

IT IS SO ORDERED.

DATED: _____

THE HONORABLE JAMES WARE
UNITED STATES DISTRICT JUDGE

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DECLARATION OF SERVICE BY MAIL

I, the undersigned, declare:

1. That declarant is and was, at all times herein mentioned, a citizen of the United States and a resident of the County of San Diego, over the age of 18 years, and not a party to or interest in the within action; that declarant's business address is 401 B Street, Suite 1700, San Diego, California 92101.

2. That on November 4, 2003, declarant served the STIPULATION AND [PROPOSED] ORDER APPOINTING MAGISTRATE JUDGE EDWARD A. INFANTE AS SPECIAL DISCOVERY MASTER by depositing a true copy thereof in a United States mailbox at San Diego, California in a sealed envelope with postage thereon fully prepaid and addressed to the parties listed on the attached Service List.

3. That there is a regular communication by mail between the place of mailing and the places so addressed.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 4th day of November, 2003, at San Diego, California.


BONNIE M. NAIDITCH

CISCO (FEDERAL-LEAD)

Service List - 9/30/2003 (201-110-1)

Page 1 of 2

Counsel For Defendant(s)

Tower C. Snow
Dean S. Kristy
Kevin P. Muck
Clifford Chance US LLP *
One Market Plaza, Steuart Street Tower
San Francisco, CA 94105
415/778-4700
415/778-4701(Fax)

Norman J. Blears
Heller, Ehrman, White & McAuliffe LLP*
275 Middlefield Road
Menlo Park, CA 94025
650/324-7000
650/324-0638(Fax)

Michael L. Rugen
Heller, Ehrman, White & McAuliffe LLP *
333 Bush Street
San Francisco, CA 94104-2878
415/772-6000
415/772-6268(Fax)

Theodore P. Senger
PricewaterhouseCoopers LLP *
333 Market Street
San Francisco, CA 94104
415/498-5000
415/498-7135(Fax)

Counsel For Plaintiff(s)

James Nixon Daniel
Beggs & Lane
501 Commendencia Street, P.O. Box 12950
Pensacola, FL 32591
850/432-2451
850/469-3330(Fax)

Fredric G. Levin
J. Michael Papantonio
Levin, Papantonio, Thomas, Mitchell, Echsner &
Proctor, P.A.
316 South Baylen St., Suite 600
Pensacola, FL 32501
850/435-7000
850/436-6084(Fax)

Sandra Stein
Milberg Weiss Bershad Hynes & Lerach LLP
1845 Walnut Street, 9th Floor
Philadelphia, PA 19103
215/988-4546
215/988-9885(Fax)

Darren J. Robbins
Spencer A. Burkholz
Daniel S. Drosman
Milberg Weiss Bershad Hynes & Lerach LLP
401 B Street, Suite 1700
San Diego, CA 92101-4297
619/231-1058
619/231-7423(Fax)

*service via facsimile and regular mail

CISCO (FEDERAL-LEAD)

Service List - 9/30/2003 (201-110-1)

Page 2 of 2

Patrick J. Coughlin

Milberg Weiss Bershad Hynes & Lerach LLP

100 Pine Street, Suite 2600

San Francisco, CA 94111-5238

415/288-4545

415/288-4534(Fax)

John Halebian

James G. Flynn

Wechsler Harwood LLP

488 Madison Avenue, 8th Floor

New York, NY 10022

212/935-7400

212/753-3630(Fax)